

**REMARKS**

Claims 1-6 are pending in the application, with Claims 1 and 5 being independent claims.

Claims 1-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tran et al. (U.S. Pat. No.6,359,987) in view of Tan et al. (U.S. Pat. No.6,449,371).

Claims 1-2 and 4-5 are amended. No new subject matter is presented.

Regarding the rejection of Claim 1 under 35 U.S.C. § 103(a), the Examiner states that Tran et al. in view of Tan et al. renders the claim obvious. Amended Claim 1 teaches, in part, an audio output control apparatus in a mobile terminal having an MP3 player, the apparatus comprising an ear jack for transferring the audio signal output from the MP3 player to an audio output device being one of an earphone and an external speaker; and *an ear jack connector being inserted in the ear jack and connecting the audio output device to the ear jack, the ear jack generating one of a high level voltage and a low level voltage upon insertion of the ear jack connector.*

Tran et al. discloses an audio output control apparatus comprising an ear jack 66 (FIG. 2) for transferring the audio signal output to an audio output device 20 (FIG. 1). Tran et al. discloses nowhere any device connecting the ear jack 66 and the audio output device that upon insertion of the device in the ear jack 66, the ear jack 66 generates one of a high level voltage and a low level voltage as the ear jack connector cited in Amended Claim 1. By contrast, when the ear jack connector 120 or 124 of the present application is inserted in the ear jack 106 (FIG. 1), the ear jack 106 generates respectively a high level or a lower level voltage (FIG. 2, Spec. p.8 lines 6-13). Tran et al. fails to disclose the limitation of *an ear jack connector being inserted in the ear jack and connecting the audio output device to the ear jack, the ear jack generating one of a high level voltage and a low level voltage upon insertion of the ear jack connector* taught by Amended Claim 1.

Tan et al. discloses a computer reproducing an MP3 audio signal (Abstract, FIG. 1). Tan et al. also fails to disclose the limitation of *an ear jack connector being inserted in the ear jack and connecting the audio output device to the ear jack, the ear jack generating one of a high level voltage and a low level voltage upon insertion of the ear jack connector* taught by Amended Claim 1, and thus fails to cure the defects of Tran et al.

Clearly, Amended Claim 1 structurally differs from Tran et al., Tan et al., or the combination thereof.

Regarding the rejection of Claim 5 under 35 U.S.C. § 103(a), the above rationale for Amended Claim 1 also similarly applies to Amended Claim 5 with respect to Tran et al., Tan et al., or the combination thereof.

In view of the above, the pending claims, i.e. Claims 1-6, are believed to be in condition for allowance, and issuance of a notice of allowance is respectfully requested. If the Examiner has any questions regarding this communication, it is requested that the Examiner contact the undersigned at the number provided below.

Respectfully submitted,



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